

OCT 17 2006

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA

JOHN F. CORCORAN, CLERK
BY: *H. McDonald*
DEPUTY CLERK

EAST TENNESSEE NATURAL GAS CO.,)

Plaintiff,)

vs.)

Civil Action No. 4:02-CV-00196

3.37 ACRES IN CARROLL COUNTY,)
VIRGINIA, CHARLES G. PARNELL and)
VIRGINIA WOJCIECHSKI, JANE A)
HARRISON, COUNTY ASSESSOR)
JOHN DOE,)

Defendants.)

ORDER GRANTING EAST TENNESSEE SUMMARY JUDGMENT,
RIGHT-OF-WAY AND EASEMENT

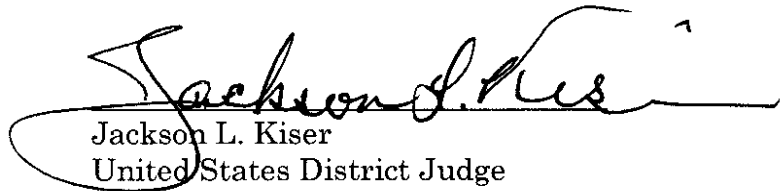
This matter was heard before this Court on October 13, 2006 on Plaintiff's Motion for Summary Judgment. Defendants failed to appear or file any opposition to this motion. This Court finds there are no issues of fact and that Plaintiff is entitled to a judgment as a matter of law. Accordingly, the Court finds that the just compensation for the property condemned in this action is forty-two thousand two hundred six dollars **(\$42,206.00)**.

In addition, East Tennessee Natural Gas Company should be granted a right-of-way and easement through and across the property that is the subject matter of this lawsuit and as set forth in the Complaint and the amended exhibits thereto. All other matters have been decided by this Court.

Accordingly, Plaintiff is Ordered to deposit with the Court the sum of twenty-three thousand nine hundred six dollars (**\$23,906.00**) for a total amount on deposit of forty-two thousand two hundred six dollars (**\$42,206.00**). Upon receipt of said funds the Clerk of the Court is ordered to disperse forty-two thousand two hundred six dollars (**\$42,206.00**) plus interest accrued to date to Defendants Charles G. Parnell and Virginia Wojciechski. This matter shall then be dismissed.

IT IS SO ORDERED.

Entered this the 17th day of Oct., 2006.


Jackson L. Kiser
United States District Judge

Submitted for Entry:

s/Lela M. Hollabaugh
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Company*

CERTIFICATE OF SERVICE

I hereby certify that on October 16, 2006, a copy of Order Granting East Tennessee Natural Gas Summary Judgment, Right of Way and Easement, was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's electronic filing system.

Charles G. Parnell
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New Milford, CT 06776

Virginia Wojciechski
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